REMARKS:

The inventor's records indicate that this invention contained 25 claims, although the examiner only refers to claims 1-24. It is not clear as to whether claim 25 is not being contested, or whether it was missed, or that the inventor's records are in error.

The examiner found the invention claims to consist of two separate inventions, and requests an election to one of these. The examiner found the two inventions to be: I. A method for the preparation of chlorin e6-transferrin; and: II. A method for the use of chlorin *e*6 transferrin in treating tumors. Since chlorin *e*6 transferrin can be used for other purposes than treating tumors, and since tumors can be treated by agents other than chlorin *e*6-transferrin, the original invention was said to be actually comprised of two inventions.

In addition, the examiner found the original claims to contain pluralities in regards to the mention of uses of several possible variations (species) of many items. Therefore a request was made to elect a single species of these.

To address both issues, the claims have been re-drafted, with a master process claim (claim 26) being added. This claim summarizes the synthesis steps in a general way, to encompass various obvious methods and materials, which exist in the prior art, for accomplishing the claim . Subsequent new claims pertaining to the synthesis: claims 27-39, mention specific species of items to be used, but these claims all refer back to the master process claim, and thus exist as one possible specific method of performing the synthesis.

The invention continues to contain 3 claims (claims 40 - 42) regarding the use of chlorin e6 transferrin. These claims refer to using the conjugate in a way which depends on the transferrin binding property of the entities to be treated. This is the specific mode of action of this reagent, and discriminates it from the uses of other treatment compounds (such as Taxol), which do not act through this mechanism. In addition these new use claims do not address any particular condition, only that the agent is used to effect transferrin binding cells, and to act on those cells through that binding capability. It is not conceivable that the product could be used in a way which would not require transferrin binding. These claims also mention the light-irradiation requirement for the product to act. It is possible that other agents exist which treat conditions by acting on cells through their transferrin binding activity, and which also require light irradiation to act, but the inventor is unaware of such a materially different product that acts this way, which is/was commonly known in the prior art, at the time of filing..

It is thought that the use claims of 40 – 42 do not constitute a new invention, as the original aims, body, and thought of the original submitted invention clearly indicated that the product acted through specific binding to cells (through the transferrin receptor; original claims 14,17,21).

By way of this amendment, the applicant selects invention group I, original claims 1-16, but wishes the invention to continue as a product and use invention, as indicated above.

The inventor wishes to thank the examiner for the excellent review, and for allowing this invention to proceed despite the delay due to the change of address problems.

Sincerely,

Philip Cavanaugh, Ph.D.
Inventor